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COMMISSION ON HUMAN RIGHTS

Fifty-seventh special session

SUMMARY RECORD OF THE 46th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 9 April 2001, at 6 p.m.

Chairperson:	Ms. AL-HAJJAJI (Vice-Chairperson)	(Libyan Arab Jamahiriya)
later:	Mr. DESPOUY (Chairperson)	(Argentina)
later:	Mr. MENDONÇA E MOURA (Vice-Chairperson)	(Portugal)

CONTENTS

INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE:

(a) VIOLENCE AGAINST WOMEN (continued)

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In the absence of Mr. Despouy (Argentina), Ms. Al-Hajjaji (Libyan Arab Jamahiriya), Vice-Chairperson, took the Chair

The meeting was called to order at 6 p.m.

INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE:

(a) VIOLENCE AGAINST WOMEN

(agenda item 12) (continued) (E/CN.4/2001/70-E/CN.6/2001/3, E/CN.4/2001/71, 72, 73 and Add.1 and 2, E/CN.4/2001/126-E/CN.6/2001/6; E/CN.4/2001/NGO/24, 25, 32, 37, 46, 56, 72, 77, 95, 113, 127, 151 and 169; E/CN.4/Sub.2/2000/17, 18 and 21)

1. Mr. BOWA (Zambia) said that, in spite of the adoption of various United Nations instruments, and the reaffirmation of women's rights as human rights by the 1995 Fourth World Conference on Women, much remained to be done in many countries in order to ensure full and equal enjoyment of those rights. Recognizing the paramount importance of gender equity to sustainable development, including poverty eradication, his Government had, in March 2000, adopted a "national gender policy", which was being implemented at all levels. A Land Act had been passed, enabling women to own land, thus overcoming a major hindrance to their effective participation in national development, and provision had also been made for their ownership of homes.

2. The Commission should endeavour to ensure appropriate follow-up to the recommendations of the report of the Special Rapporteur on violence against women, to which they were particularly exposed in conflict situations. In the report of the United Nations Development Fund for Women (UNIFEM) emphasis was placed on the importance of strengthening endeavours to accelerate the implementation of the Beijing recommendations, which included concern over violence against women. Zambia had demonstrated its clear political will to combat that problem, and was a signatory of the Southern African Development Community Declaration on Gender and Development. It had adopted the United Nations definition of violence, and wished to avail itself of technical and financial support under the UNIFEM Trust Fund. Although, like many other countries, Zambia had to contend with traditional beliefs and practices favouring the dominance of men, legal provisions covering gender violence had been included in the Penal Code, and the Government was committed to supporting awareness campaigns drawing attention to those provisions.

3. His delegation supported the conclusions of the report on trafficking in women and girls, and recognized the importance of identifying trafficking flows within and out of the African continent. That formed part of a necessary international response and should include United Nations participation. His Government also wished to encourage efforts to increase the representation of women in all United Nations institutions and at all levels of decision-making, due account being taken of equitable geographical representation.

4. Ms. PEREZ DUARTE Y NOROÑA (Mexico) said that the concern of the Mexican Government to combat discrimination, marginalization and violence against women had led to the establishment at the beginning of the current year of a National Institute for Women with an extremely wide mandate covering the implementation of coordinated programmes by various branches of the federal administration, with a view to strengthening their institutional structure and establishing firmer links between the legislative and judicial authorities at both the federal and local levels. The law setting up the Institute defined gender equality as the guarantee of just and equal access to the goods and services of society, including opportunities and rewards, as a means of achieving equitable participation of women in decision-making in all social, economic, cultural and family spheres. One of the objectives of the Institute was the promotion of a culture of non-violence, in which context the Government acted on the conviction that the struggle against poverty, marginalization and violence against women was a social imperative at the national, regional and international levels. Statistics showed that strengthening the economic capacity of women contributed to balanced development of their children, but also reflected a tendency towards the feminization of poverty, which the Fourth World Conference on Women had recognized as caused by a lack of economic opportunities and autonomy, and inadequate access to education.

5. As the Special Rapporteur on violence against women pointed out in her report, some economic policies exacerbated disparities between men and women, exposing the latter to exploitation and violence. The report also stated that family violence, the most common type to which women were exposed, was due to the economic dependence of women on men and the abuse of power characteristic of patriarchal structures. Unfortunately, voices were sometimes still heard claiming that violence against women and family violence were not violations of human rights, in spite of the numerous affirmations to the contrary. The policy of her Government was based on a recognition of the inseparability of violence against women and their deprivation of economic resources of their own, which must include ownership of land, adequate housing, and the right to exercise such ownership independently of their marital status.

6. Mr. CHUNG (Republic of Korea) said that his delegation attached particular importance to the Commission's efforts to overcome the discrimination faced by many women in respect of their general human rights and their rights relating to gender. His Government had taken a number of measures to promote and protect those rights, and had recently established a Ministry of Gender Equality as an earnest of its commitment to the Beijing Platform for Action. The Ministry's responsibilities would include the prevention and elimination of violence against women, the upsurge of which around the world, particularly during armed conflicts, was perturbing. The first ever convictions for rape and enslavement during such conflicts handed down by the International Criminal Tribunal for the former Yugoslavia reflected a strong international consensus that such acts of violence against women constituted a serious crime and must not go unpunished.

7. Among the most abominable cases of wartime human rights violations against women were those that had occurred during the Second World War when the Japanese military had sexually enslaved Korean women, the so-called "comfort women". His Government had hoped that that page of history could be turned with the 1998 Joint Declaration on a New Korea-Japan Partnership, but it had found to its indignation that Japanese history textbooks either made no reference to the "comfort women" issue or depicted it in far less precise terms than in previous

editions. His Government strongly urged the Japanese Government to take the necessary steps to rectify that situation. The gender perspective should be an integral part of government policies, the agenda of the United Nations system, and the daily lives of all participants.

8. Ms. RAJMAH (Malaysia) said that the recent upgrading of an agency responsible for promoting the advancement of women and gender equality to a Ministry of Women's Affairs and Family Development was a significant event for Malaysians in general, and Malaysian women in particular. The national policy on women and its associated plan of action, adopted in 1989, continued to provide mechanisms to enhance the contribution of women to social and economic development, including provisions enabling them to acquire the necessary skills and knowledge to cope with the challenges of globalization and a knowledge-driven economy. The 2000 census showed that women represented 44 per cent of Malaysia's productive workforce, and held 14 per cent of decision-making posts in the public sector. Measures to increase female participation in the labour market included encouragement to employers to provide suitable housing, childcare facilities, transport and health care, and to introduce a code of ethics to prevent sexual harassment in the workplace.

9. In the educational field, female students accounted for about 66 per cent of total enrolment at the upper secondary and tertiary levels, and their enrolment in public universities had risen to 55 per cent. In the technical field, the Government was implementing measures to raise female participation from 30 to 50 per cent within the coming decade. In the health field, women had equal access to health-care services, their life expectancy had increased, and maternal mortality remained at a low rate of 0.2 per thousand live births. Specific programmes had been undertaken to include the prevention of mother-to-child transmission of HIV/AIDS with provision of free treatment to affected mothers and children. Malaysia was also intensifying efforts to eliminate all forms of violence against women, including a comprehensive programme incorporating awareness-raising measures and the provision of support and rehabilitation services. With regard to the elimination of discrimination, the Government had enacted or amended legislation. In accordance with its philosophy of promoting "growth with equity and balanced development", it had planned measures to empower women in particular through the acquisition of ICT skills so as to ensure their participation in the smooth transition to the technology and knowledge-driven economy of the twenty-first century.

10. Mr. SAHRAOUI (Algeria) said that, in spite of the progress made in several fields at the twenty-third special session of the General Assembly, a great deal remained to be done, particularly in relation to the targets set by the Beijing World Conference. It had clearly emerged during the special session that the efforts of developing countries to promote the status of women were largely obstructed by the negative consequences of globalization, the social effects of structural adjustment programmes and intolerable debt burdens. His delegation was convinced that full integration of women's rights could only be achieved through resolute action by developed countries to eliminate those obstacles to the endeavours of the developing countries.

11. The concern of the international community about the alarming phenomenon of violence against women was reflected in the reports of the Special Rapporteurs on violence against women, and on systematic rape, sexual slavery and slavery-like practices during periods of

armed conflict. With regard to the former report (E/CN.4/2001/73), his delegation wished to point out that the "non-State actors" (para. 47) committing atrocities against women were not always rebel or opposition forces. In some regions, what were tantamount to small armies commanded by warlords, whose sole objectives were plunder and personal enrichment, were responsible; in other regions, similarly motivated mercenary armies were involved; in yet others the perpetrators were armed terrorist groups that had declared war on an entire people. All of those categories should have received the attention of the Special Rapporteur.

12. With regard to trafficking in human beings, the criminal networks involved obviously recruited and transported women to regions where there was a strong demand - specifically from the South and from Eastern Europe to the countries of the North. His delegation appealed to States parties to the Convention on the Elimination of All Forms of Discrimination against Women to fulfil their obligations under article 6 of the Convention, which required all States parties to "take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women". It went without saying that measures to prevent international trafficking did not and should not present an obstacle to immigration or freedom of movement not associated with trafficking, in accordance with international law.

13. Humiliating or degrading treatment of women migrant workers in developed countries was also a source of serious concern to Algeria, and, he was sure, the majority of developing countries. That was a question which was not receiving the attention it deserved from the various human rights protection mechanisms. His delegation called on those mechanisms, especially the Committee against Torture, the Committee on the Elimination of Discrimination against Women, and the Special Rapporteurs on torture and on violence against women, to give serious consideration to the situation of migrant women, include that subject in their work programmes and report on it at the Commission's next session.

14. True to its profound convictions and international commitments, Algeria, in spite of all difficulties, was actively engaged in promoting the role of women in the educational, cultural, juridical, political and ideological fields with a view to eliminating all barriers, including cultural and ideological barriers, to the achievement of that goal. Some of its objectives in relation to schooling, vocational training, improved access to health care, and fuller participation in working and public life and in the decision-making process had been already achieved. Nevertheless, his Government was aware of the remaining challenges before it, and reaffirmed its determination to rid itself of obstacles resulting from archaic social practices and attitudes.

15. Mr. OKUNROMADE (Nigeria) said that, while much progress had been made over the past year in some areas relating to the empowerment and advancement of women, areas of concern had also emerged. In the view of his delegation, the Commission should focus attention on the latter areas. The historic judgement of the International Criminal Tribunal for the former Yugoslavia that rape was a crime against humanity sent a strong signal to all that rape would no longer be condoned as a weapon of war, ethnic cleansing or intimidation. On the other hand, a new form of violence, trafficking in women, had emerged; the President of his country had called that practice a "new slave trade". Extreme poverty - one of the consequences of the huge foreign debt burden borne by developing countries - led to the exploitation of millions of

individuals, mostly women and girls, who were sold as commodities and sexually abused. His delegation agreed with the Special Rapporteur on violence against women on the need to legislate against such trafficking, and there was a bill to that end currently before the Nigerian National Assembly.

16. His delegation also welcomed the adoption by the General Assembly of the Convention against Transnational Organized Crime, and particularly, in the present context, the protocol to prevent, suppress and punish trafficking in persons. His Government had launched a national policy on women designed to promote their effective participation in development. In addition, NGOs had formed a national coalition on violence against women, and also a national tribunal with the objective of exposing the increasing incidence of violations of women's rights. New legislation had also been introduced to terminate harmful traditional practices, including early marriage. Those were some of the manifestations of the prominence being given to gender issues in Nigeria, prominence which was also reflected in the fact that women occupied important positions in the cabinet, judiciary and civil service.

17. Ms. PEJIC (International Committee of the Red Cross) said that women were afforded both general protection as human beings and special protection as women against such abuses as rape, enforced prostitution and any form of indecent assault, by the four Geneva Conventions of 1949, their two additional Protocols of 1977 and a number of other international instruments. Better implementation of international humanitarian law must, however, continue to be striven for by all in a position to influence the conduct of hostilities. A further major step in the fight against impunity had been taken by the ruling of the International Criminal Tribunal for the former Yugoslavia that rape and other forms of sexual violence in armed conflict constituted crimes against humanity. There was also a clear need for better reporting on forms of violence against women, who were often less "visible" in their communities and subject to many constraints in trying to approach organizations for assistance. The International Committee would, in the coming months, publish a study of the impact of armed conflict on women, and was committed to raising awareness among military forces of the laws governing armed conflict, and of the responsibility of their forces to prevent violations against protected populations, to ensure safe access for humanitarian organizations, and to bring perpetrators of violations to justice in national or international courts.

18. Mr. MUNTASSER (United Nations Population Fund) said that, in spite of national and international efforts, including the support to Governments provided by the fund for training and technical assistance in creating institutions for gender equality, and the participation of women in decision-making, reproductive health was still below acceptable levels. Half a million maternal deaths occurred each year, most of them in developing countries; only 53 per cent of births were professionally attended; and women underwent an estimated 50 million abortions, resulting in the death of some 80,000 and in the suffering of millions. Trafficking in women and children for sexual purposes was increasing; millions of young women were exposed to female genital mutilation and HIV/AIDS; and two thirds of the world's illiterates and poorest people were women and girls. Governments had a key role to play in improving that situation, and a stronger partnership between them, NGOs and local communities should be encouraged. The allocation

of resources at the national level and the contributions of donors continued to lag behind commitments. Special attention should be given to gender issues at the forthcoming World Conference against Racism and agreement should be achieved on explicit recommendations to ensure that women were respected and tolerated as equal partners in political and economic activities.

19. Mr. Despouy (Argentina), Chairperson, took the Chair.

20. Mr. HADI (Observer for Iraq) said that considerable advances towards achieving women's rights had recently been made as a result of the impetus given by international declarations and instruments affirming the universality and indivisibility of those rights. They had been included in the priorities of international organizations and become an integral part of their work. His Government, basing itself on its social philosophy and political system, had taken vigorous measures to promote women's rights, including participation in public life. Legislation guaranteeing their rights to education, health and political participation had been adopted, and legal measures taken to put an end to any situation of violence to which they might be subjected and to punish those perpetrating it. Iraq had ratified the Convention on the Elimination of All Forms of Discrimination against Women, it ensured that its legislation was in conformity with that commitment, and a national plan of action had been adopted to implement the Beijing Programme. The women of Iraq were among the most vulnerable victims of the embargo maintained against their country, which was a form of violence inflicted by international decisions, and a violation of the principles underlying international conventions and treaties. He called for a prompt end to that violence, which would restore the rights of women to live in peace and without fear.

21. Ms. PATERSON (Observer for New Zealand) said that the Convention on the Elimination of All Forms of Discrimination against Women was the fundamental platform for the promotion of women's rights, and her delegation urged all States not only to ratify the Convention and the Optional Protocol, but to spare no effort to fulfil their obligations under those instruments. The reporting process associated with the Convention facilitated the compilation of data on the current status of women in individual countries, and also made it easier for Governments to be held accountable for failures to conform to Convention standards and principles.

22. In conjunction with the United Nations Secretariat's Division for the Advancement of Women, New Zealand had, in February 2001, conducted a Pacific island subregional training workshop on the preparation of Convention reports, the success of which should encourage the holding of similar workshops in the Pacific and other regions. A significant development over the preceding year had been the opportunity provided by the special session of the General Assembly to review progress in the implementation of the Beijing Declaration and Platform for Action, the promotion of gender equality and the empowerment of women had also been recognized as a crucial goal by participants in the Millennium Summit Declaration.

23. Her delegation strongly supported the resolution on the elimination of violence against women to be presented at the current session of the Commission, in which reference was made to the comprehensive report of the Special Rapporteur, who had pointed out that women and girls continued to be the victims of unimaginable brutality. Her delegation fully agreed with the

Special Rapporteur that the adoption of the Rome Statute of the International Criminal Court was a major step forward for women's rights. Her Government had ratified the Statute and called on all States to do the same. It also welcomed the decision of the ad hoc international criminal tribunals ending impunity for gender-based crimes in times of armed conflict. It was particularly abhorrent that peacekeeping operations had in some instances contributed to the incidence of violence against women, including trafficking. The forthcoming World Conference against Racism would provide an excellent opportunity to address the problem of double-discrimination against women on grounds of both race and gender.

24. Ms. RIVERA RAMIREZ (Observer for Honduras) said that her delegation associated itself with the statement by the representative of El Salvador, speaking on behalf of the Central American Integration System. Honduran women had made significant new advances in the economic, political and social spheres. Many occupied senior government posts, including a third of cabinet posts. There had been a 12.6 per cent increase in their participation in the labour force, which, as the Economic Commission for Latin America and the Caribbean had pointed out, drew primarily upon women aged between 25 and 49, a time at which they bore heavy family and other outside responsibilities. The result was that they were obliged to work in the informal sector with its flexible timetable but limited opportunities for promotion or advancement.

25. Her Government had ratified a series of international treaties promoting gender equality and effected the necessary changes in national legislation. Important measures had included the adoption of legislation on domestic violence and the increase in the severity of penalties for sexual offences, including harassment, which had been common in the workplace. Her Government recognized the link between gender discrimination and poverty, and the need to improve women's access to higher earnings, and to educational, health, nutritional and other facilities that would enable them to participate more fully in the development process.

26. Mr. SELIM-LABIB (Observer for Egypt) said that his Government had introduced new legislation on the right of women to divorce, placing them on the same legal footing as men. The equality of the sexes was based on a proper understanding of shariah principles, and the adoption of new legislation had been preceded by a lengthy democratic debate at all levels of Egyptian institutions and had benefited from the input of NGOs. Another new development, which was of institutional importance, was the founding of a National Women's Council presided over by the wife of the Egyptian President. One of the Council's activities in the promotion of women's rights had been its contribution to a series of lectures dealing with the pioneering achievements of women. A further development had been the holding of the Arab Women's Summit in Cairo, which had laid the foundations for regional and international cooperation. The Committee on the Elimination of Discrimination against Women had concluded that the report of Egypt submitted in February 2001 highlighted the commitment of the Government to the promotion of women's rights, as well as describing its efforts to reduce illiteracy among women through the adoption of specific programmes and the provision of financial support. His Government was determined to make all necessary efforts to solve the problems facing Egyptian women and make them essential partners in development.

27. Ms. KASYANJU (United Republic of Tanzania) said that, in spite of the will of the international community to provide women with equal rights and freedoms, which had been so clearly manifested at the 1993 Vienna World Conference on Human Rights and the 1995 Beijing Conference, they still suffered from deprivation and exploitation in various parts of the world. Some of the steps taken by her Government to remedy that situation had been its ratification of almost all human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women. It had also taken serious measures to eradicate all kinds of violence and discrimination against women, including the enactment of criminal legislation in 1998 and 1999, which provided for severe punishments for such offences. It had further decided in 1998 to amend or repeal discriminatory laws - a process which was still continuing. The Law of Marriage Act was under review, and the Government was taking vigorous action against the practice of female genital mutilation, which had not yet been completely stamped out. Tanzania realized, however, that the ratification of international human rights instruments and the enactment of laws and regulations to curb abuses were not sufficient; it was endeavouring to educate society in both rural and urban areas on the need to practise respect for women and contribute to the integration of their human rights and mainstreaming of the gender perspective. It had established a Ministry of Community Development, and of Women's and Children's Affairs for that purpose. A growing number of women had been appointed to senior posts in the Government, judiciary and administration. Her Government was convinced that no meaningful development for women and the nation as a whole could be fully achieved as long as violations and abuses continued.

28. Ms. AL-SHAMI (Observer for Yemen) said that the Yemeni Constitution emphasized equality between men and women and prohibited any kind of discrimination. Among the many activities undertaken to enhance women's position in society, the conference on women held in March 1997 had been of particular importance since it had developed a national strategy to that end. The second five-year plan aimed at increasing women's participation in the labour force from 21 to 25 per cent, reducing female illiteracy to 60 per cent, and increasing access to basic education for girls to 64 per cent. A woman had been recently appointed Minister of State for Human Rights, and women occupied ambassadorial and other prominent posts, including in the legal profession. Their participation in the 1997 elections had reached 45 per cent as compared with 21 per cent in the 1993 elections and they had been elected to Parliament and to municipal bodies. A High Council for Women's Affairs had been established in the preceding year, and related special departments created in a number of ministries. Another recent development had been the graduation of a group of women from the police academy, access to which had been open to them for the first time. Despite the major obstacles represented for Yemeni women by some aspects of the social and cultural heritage, they had, with the assistance of the Government, some other countries and international and national organizations, made important advances, which she hoped the Commission would recognize.

29. Ms. WILLIAMS (Observer for Cyprus) said that her delegation associated itself with the statement made by the representative of the European Union, including the emphasis placed on the importance of ratifying the Convention in its Optional Protocol. Cyprus had made marked progress in recent years towards the elimination of gender asymmetries, for example in the diplomatic service, where the intake of women had risen from under 15 to over 50 per cent in the

preceding 10 years. In the educational field, Cyprus had one of the highest percentages of university graduates in the world, and more than half of them were women. Those and similar advances reflected her Government's recognition of the importance of enhancing the position of women in society.

30. Mr. NORDMANN (Observer for Switzerland) said that the promotion of a world free of fear, which had been one of the objectives of the Millennium Summit of the General Assembly, was of particular importance for women, hundreds of millions of whom were living in insecurity. Although the perpetrators of abuses were sometimes agents of the State or members of armed groups, most commonly they were members of the family, the community or the professional milieu. The reports of the Special Rapporteur on extrajudicial, summary or arbitrary executions, which drew attention to the horrific crimes committed in the name of honour, and of the Special Rapporteur on violence against women, which emphasized their particular vulnerability in situations of armed conflict, were especially valuable. With regard to the latter situations, the conviction of perpetrators of rape in time of war by the International Criminal Tribunal for the former Yugoslavia was a welcome development. It was, however, disappointing that only 1 of the 14 judges appointed to that Tribunal was a woman. His country also attached great importance to the ratification of the Rome Statute. It welcomed the measures adopted over the past year to combat trafficking in human beings and was actively supporting the programmes relating to the Balkan region. Domestic violence, including conjugal rape, was absolutely inadmissible, and direct and independent access to effective remedies should be provided by both penal and civil legislation. Violence against women was both a cause and a consequence of inequalities, which the forthcoming World Conference against Racism would provide an opportunity to redress.

31. Mr. RIMKAUNAS (Observer for Lithuania) said that his delegation associated itself with the statement by the spokesman for the European Union. At the Millennium Summit, the President of Lithuania had signed the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, and the Lithuanian Parliament had adopted an equal-opportunities law and appointed an associated ombudsman, to whom the State Labour Inspectorate was required to report any violations. His country's participation in international activities relating to gender equality had included the contribution of the Lithuanian delegation to the special session of the General Assembly, where it had reaffirmed its commitments to the objectives of the Beijing Declaration and Platform for Action. More than 500 participants from various countries were expected to participate in the Second International Conference on Women and Democracy due to be held in the Lithuanian capital in June 2001.

32. Ms. LÄNGLE (Observer for Liechtenstein) said that the international community had come a long way since the adoption of the Declaration on the Elimination of Violence against Women, a subject which had been among the critical concerns of the Beijing Conference and its follow-up. The Commission had appointed a Special Rapporteur, and there had been ground-breaking developments in international law, such as the Foca judgement, by which the International Criminal Tribunal for the former Yugoslavia had condemned sexual violence as a crime against humanity. Most important of all, however, was the strong gender perspective incorporated in the Rome Statute. In spite of those advances, acts of violence, against women, including those committed by members of peacekeeping operations, persisted, the latter being particularly deplorable since they undermined the credibility of the United Nations. It was also

tragically ironic that women, who were the most frequent victims in post-conflict situations, were often only marginally involved in the mechanisms established to deal with them. Her delegation continued to believe that better representation of women in the United Nations bodies established to deal with such situations was of crucial importance.

33. Mr. LEPATAN (Observer for the Philippines) said that trafficking in women and girls, which was among the most brutal of crimes, was, as the UNDP human development report for 1999 showed, a thriving industry with an annual revenue of 7 billion dollars; some experts ranked it as the third largest source of profits for organized crime syndicates after guns and drugs, more than a million women and children being bought and sold annually, many going to Western Europe and North America. Welcome developments against that gloomy background were the recommendations by the Special Rapporteur on violence against women, and the high priority given by the High Commissioner for Human Rights to the problem of trafficking. The High Commissioner might also consider the creation of an appropriate mechanism to coordinate action within the United Nations system on the trafficking problem, the need for which was noted by the Secretary-General in his report to the General Assembly. In welcoming the Convention against Transnational Organized Crime and its Protocol to prevent, suppress and punish trafficking in persons, especially women and children, his delegation believed that it was necessary to keep in mind the human rights dimension of the problem, as well as its economic and developmental prospects. As in previous years, his delegation intended to submit a draft resolution on those matters, and was confident that it would receive the customary support of members of the Commission.

34. Mr. Mendonça e Moura (Portugal), Vice-Chairperson, took the chair.

35. Ms. COTTINGHAM (World Health Organization) said that failure to achieve full reproductive and sexual health, which were central to women's rights, accounted for 22 per cent of their health impairment in comparison with only 3 per cent for men. Each year, more than 500,000 women died of pregnancy-related causes, and countless more suffered long-term disability, both of which could be prevented by timely care from qualified health personnel. WHO was cooperating with countries to develop improved policies and practices, which should include the dissemination of information on the prevention of unwanted pregnancies, together with the adoption of legislative measures. Women and girls were particularly vulnerable to sexually transmitted infections, including HIV/AIDS, one cause of which was financial and emotional dependence on males. Crucial importance attached to sex-disaggregated data, and a general analysis to throw light on such discrepancies as the three to six times higher infection rates of adolescent girls in Africa than of boys of the same age.

36. Violence against women also continued to be a major public health and human rights concern. Rape and domestic violence accounted for an estimated 5 to 16 per cent of healthy years of life lost by women of reproductive age, and the proportion of women suffering violence at the hands of a partner ranged from 10 to more than 50 per cent. WHO was supporting the collection of comparative data from a variety of countries on the incidence of such violence, the related health risks and protective factors.

37. Mr. OYARCE (Chile) said that his Government, recognizing women's contribution to economic, political and social development, to which integration of the rights of women and the gender perspective were of central importance, had established an Equal Opportunities Council of Ministers. Measures were also being taken to strengthen cooperation between State bodies, with provision for civil society participation, on such matters as adolescent sexuality, the prevention of premature conception, family violence, the treatment of victims and the improvement of working and economic conditions for women. The Chilean parliament was also discussing ratification of the Optional Protocol to the Convention for the Elimination of All Forms of Discrimination against Women. While welcoming the report on integration of the human rights of women (E/CN.4/2001/71), his delegation considered that the recommendations in paragraphs 60-62 necessitated an updating of the guidelines in the report of the expert group meeting (E/CN.4/1996/105, para. 71) in order to identify areas needing increased commitment on the part of States. His delegation, jointly with Canada, would submit a draft resolution on integration, which it hoped the Commission would adopt by consensus. The Commission had a key role to play in the creation of a world with a human face, and the World Conference against Racism would provide an excellent opportunity to devise activities which would help to overcome the multiple forms of discrimination suffered by women and girls.

38. Ms. CEK (Observer for Croatia) said that, as a country still dealing with the consequences of war, Croatia fully understood the gravity of the problem of violence against women during times of armed conflict. International recognition that the rape and humiliation of women were crimes against humanity had in fact been anticipated by a measure to that effect introduced into Croatian criminal legislation in 1997. Her delegation accordingly welcomed the judgements of the International Tribunals for the former Yugoslavia and for Rwanda, and the corresponding definition of rape and gender-based violence in the Rome Statute. Related problems, recognized by the Special Rapporteur on violence against women, were those faced by refugee and displaced women, who, with children, made up the majority of displaced populations and were exposed to increasing economic exploitation, social exclusion and political marginalization, linked in some cases with prostitution and trafficking. Although handicapped by lack of financial resources and infrastructure, her Government was currently drafting a new national programme to succeed its 1997 national plan of action for gender equality. Its objectives included improved information on the ICC and ICTY, supplementary education on mines and other explosive devices, assistance to refugee, displaced and returnee women, facilitation of their social reintegration and other information relating to situations in which they were vulnerable. Her delegation was encouraged by the recommendation of similar measures in the Special Rapporteur's report.

39. Mr. ABU KASHAWA (Observer for Sudan) said that the revision of national legislation and the Constitution, initiated in 1992, had done much to improve the legal status of women in his country and promote the integration of their rights. Article 21 of the Constitution proscribed discrimination on grounds of race, sex or religious belief, and article 15 decreed the emancipation of women from injustice in all aspects of life and encouraged their role in family and public life. A 1937 Citizens Act had been superseded by article 22 of the Constitution, which stated that all persons born of a Sudanese mother or father would have an inalienable right to Sudanese nationality. Such legal changes were, however, not in themselves sufficient, and equal pay, paid maternity leave, and equal retirement and social benefits were integral parts of working conditions for women. Increasing numbers of women

were participating in law-making and judicial bodies: there were eight female judges in the Supreme Court and the Legal Adviser to the President was a woman. In the educational field, not only was the rate of increase of girls' schools greater than that for boys' schools, the enrolment for the two sexes in the year 2000 being equal, but there had been a steady increase in female enrolment in higher educational institutions. In the political sphere, 35 women had been elected to the Sudanese Assembly in the December 2000 national elections, and a minimum quota of 25 per cent female representation was guaranteed at state and national levels through indirect suffrage. Women were actively participating in civil society organizations, including NGOs covering a wide span of professional fields. His Government looked forward to establishing full enjoyment of civil, economic, social and cultural rights for all Sudanese women.

40. Ms. MACHADO (Observer for Angola) said that her Government's national strategy for the promotion of equality and acceleration of participation of women in posts of responsibility was based on the relevant international declarations and conventions. It was currently implementing a US$ 1 million United Nations micro-credit programme financed from its own resources, and appealed to the donor community, bearing in mind Angola's problems and its huge territory, to complement those efforts. In accordance with international recommendations, her Government had established an intersectoral commission to combat extreme poverty as a step towards attainment of the international objective of a 50 per cent reduction in its incidence by the year 2015. Progress had also been made towards the increased representation of women in parliament, the Government and political posts: there were at present four women ministers and six vice-ministers, and 30 per cent of members of parliament were women. Efforts were being made to combat violence against women through the expansion of public information and education programmes, and various reproductive health programmes and educational programmes on HIV/AIDS were being carried out. It was, however, a regrettable fact that rape and systematic violations of women's rights were still being perpetrated in areas occupied by the bellicose UNITA group. She appealed to the international community to support the efforts of her Government to achieve lasting peace in the country.

41. Ms. RUCI (Observer for Albania) said that her country had participated in all United Nations activities arising out of the Beijing Conference and related subsequent meetings. It had adopted an action programme for Albanian women, and was currently preparing a report to the Committee on the Elimination of Discrimination against Women on its implementation of the Convention, which had been ratified by Albania in 1994. More than 100 NGOs concerned with women's issues were active throughout the country, and efforts were being made to increase women's participation in decision-making mechanisms. In the local elections of 2000, the number of women at the head of municipal administrations had increased from 3 to 11, and in Tirana, where one third of the national population lived, women members of such administrations accounted for 55 per cent of the total number. Thanks to the high level of education available to Albanian women, it was confidently expected that the number of female members of parliament, which at present stood at 11 per cent, would substantially increase. The measures taken by her Government against trafficking in women and children included prevention by raising public awareness, stronger law enforcement - including improved police training, more stringent legislation on trafficking and prostitution, assistance to and protection of

victims, and job creation in the poorest areas of the country through pilot projects with unemployed girls and young women. Rich Western countries were, however, a major source of demand for trafficking and should take active measures against the crime, inter alia, by raising the social awareness of their populations.

42. Ms. ANANICH (Observer for Belarus) said that, under the Belarusian Constitution, the principle of equality before the law was established irrespective of gender. The Constitution also guaranteed the equal access of women to education, vocational training, work and promotion in the social, political, cultural and other spheres and in respect of working rights and of health. The Labour Code contained special provisions prohibiting the use of women in particularly arduous or dangerous work, and contained specific requirements for the protection of women's health in order to create favourable conditions for the development of family life. The Code also prohibited night and overtime work, work on national holidays and rest days and business trips by pregnant women and women with children under three. There were many privileges offered to women engaged in bringing up children that could be extended to fathers and other relatives. All those measures ensured true gender equality by making it possible for women of working age to pursue careers, while at the same time strengthening family ties and improving women's position in the family and in society.

43. Women were in a majority in Belarus and not only represented a major part of the labour force but also made an invaluable contribution to the education of children and the preservation of the spiritual and moral basis of society. The Government had prepared a national plan of action to enhance the position of women, and related institutional infrastructure had been established. The Government was working in partnership with social bodies and women's movements, and cooperating with UNDP, UNICEF and UNIFEM. In 1998, crisis centres had been established for women exposed to sexual or family violence, and confidential hotlines were available to provide psychological help to women in cases of need. The Government was also carrying out programmes in support of women's business activities, single mothers, mothers with disabled children and other socially deprived women. Work was also proceeding on educational campaigns to increase understanding of women's problems.

44. Mr. SFEIR-YOUNIS (World Bank) said that violence against women had come to be recognized not only as a violation of basic human rights, but also as a major constraint on sustainable development. The Bank had, in 1993, estimated that violence against women was responsible for as much death and incapacity as cancer, and was a cause of more ill-health than traffic accidents and malaria combined. He would give some examples of Bank lending to combat those evils.

45. They included support for: the Lithuanian social policy and community services development project; the judicial reform project in Ecuador, which included a programme for law and justice supported by a small grant to NGOs; the women and justice pilot project in Argentina; and the adoption of a law banning female genital mutilation in Senegal. The Bank had also entered into a partnership with the national commission on women's affairs in Thailand

in carrying out a joint study; in Bangladesh it was working with women's organizations and NGOs to develop a participatory study on gender-violence, together with a number of United Nations bodies; and it was carrying out a women's rights campaign in Ecuador, and was sponsoring with UNIFEM an electronic virtual working group entitled "End Violence", to which there had been more than 1,000 subscribers.

46. Among the impediments to development resulting from the curtailment of women's rights was a lack of independent rights to own land, manage property, conduct businesses or even travel without their husbands' consent. They had limited access to financial resources and fewer opportunities to generate income, whether by independent activities or in paid employment. Experience had, moreover, shown that more equal participation by women was associated with cleaner business and government practices and better governance. The Bank's strategy was to focus on reforming institutions aimed at establishing equal rights and opportunities for women; to foster economic development as a means of strengthening incentives for more equal participation; to take active policy measures in order to redress persistent gender disparities; to sharpen policy through gender analysis; and to broaden its partnerships with all stakeholders. Women's participation brought social coherence at all levels, and gender equality implied a major shift in empowerment and a profound transformation of existing forms of governance.

47. Mr. CHOL (Observer for the Democratic Peoples' Republic of Korea) agreed that violence against women, including rape, should be regarded as a barbaric practice. His delegation welcomed the report of the Special Rapporteur (E/CN.4/2001/73), which referred to the continued impunity of those who had put into effect Japan's system of military slavery during the Second World War. Although the massive anti-United States protest that had followed the sexual abuse of a 14-year-old girl in Okinawa by a United States soldier reflected Japanese intolerance of violence against women of their own ethnic origin, Japan was striving to avoid responsibility for the crimes it had committed against women of another nation when it had forced over 200,000 Korean women to serve the Japanese imperial army as sexual slaves. That outrage continued to arouse burning indignation among the Korean people, particularly its younger generation. A number of other countries which had committed similar grave crimes in the past century, including Nazi Germany, had entered the twenty-first century having purged or still purging their guilt. Japan, on the contrary, was openly justifying its criminal past through a cosmetic presentation of its aggressions and atrocities in the school textbooks, a reflection of its unchanged ambition to dominate and invade other nations. Unless precautions were taken by the international community, there could be no certainty that irreparable damage would not be caused to countries in Asia and beyond.

48. Japan's claim to permanent membership of the Security Council was in defiance of its inescapable obligation to rid itself of the stigma of an "enemy State" listed in the United Nations Charter. His delegation once again urged the Commission to establish, within the framework of its efforts to promote the equality and dignity of women, an effective institutional mechanism to investigate exhaustively past and current violations of women's rights, identify and punish those responsible, and provide acceptable compensation to victims.

49. Mr. KHORRAM (Observer for the Islamic Republic of Iran) said that violence against women, which prevailed in different forms and at different levels in a wide spectrum of human societies, was a formidable obstacle to their full participation in the social life of their countries and in the development process. He called for effective government action in cooperation with civil society, including NGOs. Violence against women was an expression of social malaise and a product of poverty of culture; it called for a more sophisticated understanding of the different status of women in various societies, without which it could not be fully addressed in its social, political and economic dimensions. The advancement of women's rights and enhancement of their participation in every aspect of life was a matter of paramount importance to his country. His Government had established a national committee on that question at the Women's Participation Centre, which had developed a plan of action to counter violence against women, especially domestic violence and within that overall framework a wide range of legal and cultural activities had been undertaken. President Khatami had recognized the need for a credible assessment of traditional views in his statement in the General Assembly to the effect that the traditional outlook, based on the erroneous notion of the superiority of men over women, did injustice to men, women and humanity as a whole, and that comprehensive and sustainable development was only possible through the active participation of both men and women in social life.

50. Mr. HARAGUCHI (Japan) speaking in exercise of the right of reply, said, with reference to the statement by the representative of the Republic of Korea, that his Government's view concerning Japan's actions in the Second World War had been clearly expressed by the Prime Minister in August 1995, when he had said: "Japan caused tremendous damage and suffering to the people of many countries, particularly Asian nations. In the hope that no such mistake will be made in the future, I regard, in a spirit of humility, these as irrefutable facts of history, and express once again my feelings of deep remorse and state my heartfelt apology. Allow me to express my feelings of profound mourning for all victims from both at home and abroad of that history." That was the official position of the Japanese Government, which remained unchanged to the present day.

51. Without entering once again into Japan's legal position, he wished to emphasize that his Government had expressed profound and sincere remorse and apologies over the issue of "wartime comfort women" as well. It had closely cooperated with, and fully supported the activities of, the Asian Women's Fund and would continue to seek the understanding of the authorities and people of the countries and territories concerned.

52. Under the Japanese textbook authorization system, authors were free to decide which historical events to include, and how to describe them, so long as they did so in accordance with the general curriculum guidelines laid down by the Government specifically for teachers and made public whenever issued. Under that system, the Government was not the author of the textbook and was not in a position to demand or force the author to touch upon specific historical events. Schools had a wide variety of books to choose from, and the choice lay with them. It was his understanding that the authorization was being carried out impartially, and was done in accordance with the spirit of the 1998 Joint Declaration on a New Japan-Korea Partnership, being carried forward into the twenty-first century.

53. Mr. CHUNG (Republic of Korea), speaking in exercise of the right of reply, said that various United Nations mechanisms had addressed the criminal aspect of the "comfort women" issue over recent years, reflecting the international community's serious concern about such inhuman crimes. At its forty-second session in 1998, the Commission on the Status of Women, attended by a Japanese delegation, had decided that "sexual slavery in armed conflict constituted a war crime", and that the Beijing Declaration had called for the eradication of such crimes. In addition, the Special Rapporteur on violence against women and the Special Rapporteur on systematic rape, sexual slavery and slavery-like practices had in 1996 and 1998 respectively submitted reports on the "comfort women", both recommending clearly and strongly that the Japanese Government should accept legal responsibility and responsibility for payment of compensation. Most of the surviving "comfort women" were of advanced age, which made action a matter of urgency. The victims had repeatedly expressed their resentment at the Japanese Government's failure to address that issue with sincerity. Since most victims had resolutely refused to receive compensation from the so-called "Asian Women's Fund", which was a voluntary fund, assistance from that source could not be a just and acceptable solution.

54. Mr. HARAGUCHI (Japan), speaking in exercise of the right of reply, said that he had already explained his Government's feelings and its assumption of moral responsibility, and had referred to its cooperation with the Asian Women's Fund. Since, however, the representative of the Republic of Korea had raised the issue of compensation, he was obliged to elaborate on his Government's position, which was that the issues had been fully and completely settled by legal instruments between Japan and the relevant parties, including the Republic of Korea. Japan had sincerely fulfilled its obligations in accordance with the San Francisco Peace Treaty, bilateral treaties and other relevant international agreements.

55. Mr. YONG HO (Observer for the Democratic People's Republic of Korea), speaking in exercise of the right of reply, said it was well known that Japan had committed crimes against humanity by drafting 200,000 Korean women as sexual slaves of the Japanese military, killing more than 1 million people, and using more than 6 million youths and adults as forced labourers during its colonial rule. There had, however, been no official sincere apology or State compensation for the victims, no punishment of perpetrators, no acknowledgement of the crimes, and no recognition of legal responsibility. The Special Rapporteur had referred in her report to the continuing impunity for such crimes against humanity as the systematic sexual slavery practised by Japan, which thus contributed to an environment of toleration of impunity for violence against women.

56. Regarding the Asian Women's Fund, not only the victims but the international community had rejected it as a deceitful device on the part of Japan. Recently, the ILO expert committee on the application of conventions and recommendations had stated in the report submitted to the eighty-ninth ILO Conference that the Fund could not be regarded as a solution for the compensation of victims, and had urged the Japanese Government to compensate them. Instead of endeavouring to hoodwink the international community, Japan should accept its legal responsibility for past crimes and apologize immediately.

57. Mr. CHUNG (Republic of Korea), speaking in exercise of the right of reply in connection with the Japanese representative's statement concerning compensation, drew the Commission's attention to the report of the Special Rapporteur on systematic rape, sexual slavery and slavery-like practices during armed conflict to the Sub-Commission. In that report she had stated that the Asian Women's Fund did not meet the responsibility of the Government of Japan to provide legal compensation for individual women who had been victims of the "comfort women" tragedy, since atonement money from that Fund was not intended as acknowledgement by the Japanese Government of legal responsibility for crimes committed during the Second World War.

The meeting rose at 9.05 p.m.